

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SECOND GENERAL ASSEMBLY

50TH LEGISLATIVE DAY

TUESDAY, MAY 29, 2001

3:00 O'CLOCK P.M.

No. 50
[May 29, 2001]



The Senate met pursuant to adjournment.
 Senator Stanley B. Weaver, Urbana, Illinois, presiding.
 Prayer by Senator J. Bradley Burzynski, Sycamore, Illinois.
 Senator Radogno led the Senate in the Pledge of Allegiance.

The Journal of Thursday, May 24, 2001, was being read when on motion of Senator W. Jones further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator W. Jones moved that reading and approval of the Journal of Friday, May 25, 2001 be postponed pending arrival of the printed Journal.

The motion prevailed.

LEGISLATIVE MEASURES FILED

The following floor amendment to the House Bill listed below has been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 1 to House Bill 2911

The following floor amendment to the Senate Resolution listed below has been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 3 to Senate Resolution 153

REPORT FROM STANDING COMMITTEE

Senator Mahar, Chairperson of the Committee on Environment and Energy to which was referred the following Senate floor amendment, reported that the Committee recommends that it be adopted:

Amendment No. 2 to House Bill 2900

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

EXCUSED FROM ATTENDANCE

Senator Maitland was excused from attendance due to illness.

On motion of Senator Demuzio, Senator Silverstein was excused from attendance due to a religious holiday.

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
 ILLINOIS SENATE

May 25, 2001

[May 29, 2001]

Mr. Jim Harry
Secretary of the Senate
401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Per the attached schedule, the Senate will be in Veto Session on November 7, 13, 14, 15, 27, 28 and 29, 2001.

Sincerely,

s/James "Pate" Philip
Senate President

Attachment

cc: Senator Emil Jones
Speaker Madigan
House Republican Leader Daniels

FALL VETO SESSION

November - 2001:

7 - SESSION
13 - SESSION
14 - SESSION
15 - SESSION
27 - SESSION
28 - SESSION
29 - SESSION

At the hour of 3:25 o'clock p.m., Senator Dudycz presiding.

EXCUSED FROM ATTENDANCE

On motion of Senator Demuzio, Senator Lightford was excused from attendance the week of May 29, 2001 through June 1, 2001, due to medical orders.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS
ON SECRETARY'S DESK

On motion of Senator Parker, Senate Bill No. 20, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Parker moved that the Senate concur with the House in the adoption of their Amendment No. 1 to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 53; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski

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Clayborne
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Mahar
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Shadid
 Shaw
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to Senate Bill No. 20.

Senator Parker moved that the Senate non-concur with the House in the adoption of their Amendment No. 2 to said bill.

The motion prevailed.

And the Senate non-concurred with the House in the adoption of their Amendment No. 2 to Senate Bill No. 20.

Ordered that the Secretary inform the House of Representatives

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thereof.

On motion of Senator Radogno, Senate Bill No. 397, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Radogno moved that the Senate non-concur with the House in the adoption of their amendments to said bill.

The motion prevailed.

And the Senate non-concurred with the House in the adoption of their Amendments numbered 1 and 2 to Senate Bill No. 397.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Parker, Senate Bill No. 435, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Parker moved that the Senate non-concur with the House in the adoption of their amendment to said bill.

The motion prevailed.

And the Senate non-concurred with the House in the adoption of their Amendment No. 1 to Senate Bill No. 435.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Geo-Karis, Senate Bill No. 887, with House Amendments numbered 1, 2 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Geo-Karis moved that the Senate non-concur with the House in the adoption of their amendments to said bill.

The motion prevailed.

And the Senate non-concurred with the House in the adoption of their Amendments numbered 1, 2 and 3 to Senate Bill No. 887.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 3:35 o'clock p.m., Senator Donahue presiding.

On motion of Senator Dudycz, Senate Bill No. 1177, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Dudycz moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 53; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz

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Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Mahar
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Shadid
 Shaw
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to Senate Bill No. 1177.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 3:39 o'clock p.m., Senator Dudycz presiding.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator O'Malley moved that Senate Resolution No. 8, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator O'Malley moved that Senate Resolution No. 8, be adopted.

And on that motion a call of the roll was had resulting as follows:

Yeas 27; Nays 20; Present 1.

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The following voted in the affirmative:

Bomke
 Burzynski
 Cronin
 Dillard
 Donahue
 Dudycz
 Hawkinson
 Jones, W.
 Karpel
 Lauzen
 Luechtefeld
 Madigan, R.
 Mahar
 Munoz
 Noland
 O'Daniel
 O'Malley
 Peterson
 Petka
 Rauschenberger
 Sullivan
 Syverson
 Viverito
 Walsh, L.
 Weaver
 Woolard
 Mr. President

The following voted in the negative:

Bowles
 Clayborne
 Cullerton
 del Valle
 Halvorson
 Hendon
 Jacobs
 Jones, E.
 Klemm
 Link
 Madigan, L.
 Molaro
 Obama
 Parker
 Radogno
 Ronen
 Shadid
 Shaw
 Smith
 Welch

The following voted present:

Geo-Karis

The motion lost.

Senator Parker moved that Senate Resolution No. 140, on the

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Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Parker moved that Senate Resolution No. 140, be adopted.

And on that motion a call of the roll was had resulting as follows:

Yeas 53; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Lauzen
Link
Luechtefeld
Madigan, L.
Madigan, R.
Mahar
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Shadid
Shaw
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Watson
Weaver
Welch

[May 29, 2001]



Woolard
Mr. President

The motion prevailed.
And the resolution was adopted.

Senator Parker moved that Senate Resolution No. 142, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.
Senator Parker moved that Senate Resolution No. 142 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Rauschenberger moved that Senate Resolution No. 147, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.
Senators Rauschenberger - Weaver offered the following amendment:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Resolution 147 on page 2, immediately below line 10, by inserting the following:

"RESOLVED, That the study shall include an analysis of using design-build practices for State construction projects; and be it further"

and on page 2, by replacing line 13 with the following:
"than May 1, 2002; and be it further".

Senator Rauschenberger moved the adoption of the foregoing amendment.

The motion prevailed.
And the amendment was adopted.

Senator Rauschenberger moved that Senate Resolution No. 147, as amended, be adopted.

And on that motion a call of the roll was had resulting as follows:

Yeas 55; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpier
Klemm

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Lauzen
Link
Luechtefeld
Madigan, L.
Madigan, R.
Mahar
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

The motion prevailed.
And the resolution, as amended, was adopted.

Senator Geo-Karis moved that House Joint Resolution No. 2, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Geo-Karis moved that House Joint Resolution No. 2, be adopted.

And on that motion a call of the roll was had resulting as follows:

Yeas 55; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue

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Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpier
 Klemm
 Lauzen
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Mahar
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

Senator O'Malley moved that Senate Joint Resolution No. 34, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Joint Resolution 34 on page 1, line 16, by changing "Commission and" to "Commission,"; and on page 1, line 17, by changing "Affairs" to "Affairs, and the

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Department of Transportation"; and
 on page 1, line 18, by changing "is" to "in"; and
 on page 1 by replacing lines 19 through 27 with the following:

"RESOLVED, That the study include an analysis of the existing electricity transmission capacity in this State, including recommendations for changes in State or federal regulations or statutes and initiatives that can be taken by the Illinois Commerce Commission, the State of Illinois, and the federal government which may be necessary to develop remedies to any reliability or economic performance inadequacies in the existing electricity transmission system; an examination of the areas of the State of Illinois where additional electricity demand is reasonably likely to occur, including recommendations about electricity transmission system development required to accommodate such reasonably anticipated additional electricity demand growth, and Illinois Commerce Commission, State of Illinois, and federal government initiatives which might be undertaken to facilitate transmission system enhancement or expansion for those purposes; and an analysis of the feasibility of promoting the development of Illinois coal resources as a source of additional generation capacity for the State by developing additional transmission capacity within the State of Illinois to move electricity from the southern portions of the State to areas of significant demand for that power, including an estimate of the cost of developing a South-to-North transmission corridor for those purposes; and be it further"; and

on page 1, line 28, by changing "Commission and" to "Commission,"; and

on page 1, line 29, by changing "Affairs" to "Affairs, and the Department of Transportation"; and

on page 1, line 31, by changing "October 1" to "December 31"; and

on page 2, line 3, by changing "Commission and" to "Commission,"; and

on page 2, line 4, by changing "Affairs" to "Affairs, and the Secretary of Transportation".

Senator O'Malley moved that Senate Joint Resolution No. 34, as amended, be adopted.

And on that motion a call of the roll was had resulting as follows:

Yeas 54; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Clayborne
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.

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Karpiel
 Klemm
 Lauzen
 Link
 Luechtefeld
 Madigan, L.
 Madigan, R.
 Mahar
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

The motion prevailed.

And the resolution, as amended, was adopted.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senator O'Malley moved that Senate Joint Resolution No. 35, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Joint Resolution 35 on page 2 by inserting immediately below line 5 the following:

"WHEREAS, Illinois must work to ensure that sufficient nitrogen oxide emission credits are available for new electricity generating sources that will utilize clean coal technologies; and".

Senator O'Malley moved that Senate Joint Resolution No. 35, as amended, be adopted.

And on that motion a call of the roll was had resulting as follows:

Yeas 53; Nays 1; Present 1.

[May 29, 2001]

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Link
Luechtefeld
Madigan, L.
Madigan, R.
Mahar
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

The following voted in the negative:

Lauzen

[May 29, 2001]



The following voted present:

del Valle

The motion prevailed.

And the resolution, as amended, was adopted.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

At the hour of 4:12 o'clock p.m., on motion of Senator Geo-Karis, the Senate stood adjourned until Wednesday, May 30, 2001 at 9:00 o'clock a.m.

[May 29, 2001]

